



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Andrew Kunasek, District 3, Chairman
Max Wilson, District 4, Vice Chairman
Fulton Brock, District 1
Don Stapley, District 2
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Supervisors' Auditorium
205 W. Jefferson
Phoenix, AZ 85003

FORMAL MEETING AGENDA

BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, December 17, 2008
9:00 AM**

Agendas are available at least 24 hours prior to each meeting in the Office of the Clerk of the Board, 301 West Jefferson, Tenth Floor, Phoenix, Arizona, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and on the internet at http://www.maricopa.gov/Clk_board/Agendas.aspx. One or more Board members may attend telephonically. Board members attending telephonically will be announced at the meeting. The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3). Accommodations for individuals with disabilities, including alternative format materials, sign language interpretation, and assistive listening devices are available upon 72 hours' advance notice through the Office of the Clerk of the Board, 301 West Jefferson Avenue, Tenth Floor, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TDD (602) 506-2348. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

See the Clerk and fill out a speaker's form if you would like to address the Board regarding any matter on the agenda.

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1. **INVOCATION**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

BOARD OF SUPERVISORS

4. **Pet Showcase by Maricopa County Animal Care and Control.**

PRESENTATIONS

5. **BASKET DRAWINGS FOR THE 2008 COMBINED CHARITABLE CAMPAIGN**

Chairman Kunasek will draw names and announce the winners for each basket.
(C-06-09-214-P-00)

6. **2008 SERVICE PROVIDER OF THE YEAR**

Presentation regarding the United Latino Business Coalition's (ULBC) award to Andres Chagolla and Materials Management's Small Business Enterprise Program (McBiz) as ULBC 2008 Service Provider of the Year. (C-73-09-040-P-00)

Wes Baysinger, Director, Materials Management

STATUTORY HEARINGS

Clerk of the Board

7. **LIQUOR LICENSE APPLICATIONS**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. **PERSON TO PERSON TRANSFER OF LIQUOR LICENSE FOR WADDELL'S LONGHORN CORRAL**

Approve a Person to Person Transfer of a series 06 Liquor License from Charles Edward Mansfield Jr. to Eric James Mansfield for Waddell's Longhorn Corral at 1629 N. 195th Avenue, Buckeye, AZ 85396. (MCLL #6281) (C-06-09-195-L-00)

- b. **LIQUOR LICENSE APPLICATION FOR BENJAMIN'S**

Approve a new, Series 12 Liquor License Application for Benjamin B. Tiede for Benjamin's at 10746 W. Bell Road, Sun City, AZ 85351. AZ #12077812, MCLL #6282. (C-06-09-197-L-00)

c. LIQUOR LICENSE APPLICATION FOR SMOKERS DOMAIN

Approve a new, #10, Liquor License Application for Tri Huu Nguyen, for Smokers Domain at 10914 W. Bell Road, Sun City, AZ 85351. AZ #10075711, MCLL #6283. (C-06-09-198-L-00)

d. SPECIAL EVENT LIQUOR LICENSE FOR SUN CITY WEST RACQUET CLUB

Approve an application for a Special Event Liquor License for Gloria A. Mitchell, Sun City West Racquet Club, 19807 R.H. Johnson Boulevard, Sun City West, AZ on April 3, 2009, 4:00 to 7:00 p.m. and on April 4 and 5, 2009, from noon to 5:00 p.m. (SELL #865) (C-06-09-202-L-00)

Public Works

8. ROAD FILE DECLARATIONS

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

a. ROAD FILE NO. 5804

General Vicinity: East of North Tuthill Road and South of West Indian School Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-064-M-00)

Air Quality

9. INCORPORATION BY REFERENCE RULEMAKING

Pursuant to A.R.S. 49-479(b), convene the scheduled public hearing to solicit comments and consider the adoption of proposed revisions the following Maricopa County Air Pollution Control Regulations: Rule 317 - Hospital/Medical/Infectious Waste Incinerators, Rule 321 - Municipal Solid Waste Landfills, Rule 360 - New Source Performance Standards, Rule 370 - Federal Hazardous Air Pollution Program, Rule 371 - Acid Rain, and Appendix G - Incorporated Materials. Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations Rules 317, 321, 360, 370, 371 and Appendix G. Upon Board approval, this item will become effective December 3, 2008. This item was continued from the December 3, 2008 meeting. (C-85-09-004-7-00)

10. RESOLUTION FOR DUST CONTROL PERMIT APPLICATION PACKAGE

Pursuant to A.R.S. 49-479(b), convene the scheduled public hearing to solicit comments and consider the adoption of the Resolution to submit supplemental information on the implementation of Maricopa County Air Pollution Control Rule 310 - Fugitive Dust from Dust-Generating Operations consisting of the Dust Control Permit Application package as a

revision to the Arizona State Implementation Plan (SIP) for PM10. Following the public hearing, the Board is requested to approve the attached Resolution and submit it as a revision to the Arizona State Implementation Plan (SIP) for PM10. Upon Board approval, this item will become effective December 3, 2008. This item was continued from the December 3, 2008 meeting. (C-85-09-005-7-00)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Board

11. PETITION FOR INCORPORATION OF THE TOWN OF TONOPAH, ARIZONA

Pursuant to A.R.S. ~~§9-131(B)~~ 9-101(B), accept the petition and call for an election on Tuesday, March 10, 2009, for incorporation of the community of Tonopah into a town. The petition is signed by 10% of the qualified electors residing in a single community containing a collective population of fifteen hundred or more inhabitants.

Pursuant to A.R.S. ~~§9-131(B)~~ 9-101(B), within 60 days after the filing of the petition the Board of Supervisors shall call the election. Only qualified electors living within the area proposed for incorporation may vote at the election. If a majority of the qualified electors voting at the election favor incorporation, the Board of Supervisors shall declare by order the community incorporated. (C-06-09-179-7-00)

Sheriff

12. ONE-TIME ADDITION TO COUNTY FLEET

Approve the one-time addition to County fleet of a 1997 Arctic Cat quad awarded to the Sheriff's Office by the Clerk of the Court through DR 01-23512 to be used at the firearms training facility.

The auctionable value of this item is estimated at less than \$900 and the annual operating expense is estimated at less than \$500 per year. RICO funds will be used for operations and repairs. This is a one-time addition to the Sheriff's Fleet which will be retired at then end of its useful life with no funding from the general fund for its replacement. (C-50-09-045-M-00)

13. AGREEMENT AND ACCEPTANCE OF FUNDS FOR THE RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM

Approve the Agreement and acceptance of \$74,110 in continued grant funding from the Arizona Criminal Justice Commission for Residential Substance Abuse Treatment Grant Program (RSAT) Grant Number RSAT-09-004. The term of this Agreement is January 1, 2009 through December 31, 2009. The corresponding application was filed under Board agenda C-50-08-578-3-ZZ, approved on June 18, 2008. The Sheriff's Office has participated in the RSAT grant program for approximately seven years. Also approve an increase to the Sheriff's Office (500) grant fund (251) Recurring (0000) revenue and expenditure appropriations for FY 2008-09 not-to-exceed \$37,055. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the

Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%; the unrecoverable indirect cost associated with this grant is \$9,041.42. There is a 25% match requirement (\$18,529) that will be funded by Sheriff's Office Inmate Services Fund (252). (C-50-09-047-G-00)

14. DONATION TO SHERIFF'S OFFICE

Accept the donation of \$250 from **Best Materials, LLC. d.b.a. Copperstate Roofing Supply** to the Sheriff's Office Donations Fund. (C-50-09-046-M-00)

15. MONTHLY DONATION REPORT

In accordance with County Policy A2805, accept the monthly donation report received from Sheriff's Office for November 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-218-7-00)

Treasurer

16. TAX DEED PARCEL PREVIOUSLY OFFERED

Pursuant to A.R.S. §42-18303, accept the cash offer(s) on the following tax deed land parcel(s):

Date Previously Offered	Parcel No.	Purchaser/Name for the Deed	Amount Offered	Amount of charges against the parcel
12/7/2006	208-08-007U	Adam Sontag	\$500	\$3,763.37
12/7/2006	215-39-069	Adam Sontag	\$500	\$2,420.00

Direct that the Treasurers Office accept payment and prepare the deed to convey the property sold and deliver to the Clerk of the Board for further processing. Pursuant to A.R.S. §42-18262(A) and A.R.S. §42-18303(C), the proceeds from the sale in the amount of \$1000 will revert to the County General Fund. (C-43-09-012-8-00)

17. PTO AND FML ADJUSTMENT

Approve an Executive Compensation Package (ECP) for Royce Flora, an unclassified Assistant Financial Manager in the Treasurer's Office, authorizing a deposit of 22.75 hours of PTO and 5.25 hours of FML to Royce Flora's leave balance.

If approved, this will authorize a deposit of 22.75 hours of PTO and 5.25 hours of FML to Royce Flora. (C-43-09-013-M-00)

TRIAL COURTS

Justice Courts

18. APPOINTMENTS FOR PRO TEM JUSTICES OF THE PEACE

Pursuant to A.R.S. §22-121, approve the appointment of the following individuals as Pro Tem Justices of the Peace for the period January 1, 2009 through December 31, 2009, to serve in various programs in Justice Courts to reduce trial delay. This serves the interests of

judicial economy and promotes sound caseflow management. The individuals identified below will serve as Pro Tem Justices of the Peace with compensation at a rate of \$48.79 per hour. Funds are available within the existing budget to cover the projected expenditure of \$181,913. (C-24-09-008-9-00)

Adornetto, Charles J.	Anderson, Lex
Anthony, John W.	Barnes, Bernard J.
Bohlman, Herbert	Calender, Don
Carroll, Michael K.	Clark, Scott M.
Colglazier, Jerry L.	Cohen, Larry J.
Conti, Frank J.	DeForest, Melanie
Delaney, Fenton Frank	Dingott, Monroe
Fletcher, David H.	Freestone, Tom
Graham, William	Haworth, Richard
Henderson, James	Henderson, Paul
Henry, Donna	Henry, John C.
Holliday, Denise	Hull, Andrew M.
Jarvis, Robert	Johnson, Ron
Johnston, Sherwood III	Jones, Frederick M.
Julien, Paul D.	Karp, Ronald
Knapp, Robert E. Jr.	Koglmeier, Matthew D.
Landau, Jerry G.	Lizarraga, Joseph A.
Matz, Theodore	Melton, Robert E.
Miranda, Richard	Neal, Delia
Nelson, Douglas N.	O'Hair-Schattenberg, Michelle
Orcutt, Michael	Parker, Caryl K.
Passey, Kerry	Ponath, William E.
Puklin, Thomas R.	Rogers, Phil J.
Seyer, David	Sheldon, Steven
Skousen, Donald	Smith, Kenneth P.
Smith, Terry	Southern, E. Reid
Strong, Brian D.	Tolby, Quentin
Toles, Jeremy	Tully, Brian Brendan
Warianka, Andrew	Washburn, Daniel
Wilkins, Victor M.	Williams, Scott E.
Wilson, Amy	Wirtjes, John
Wolf, Guy P.	Zastrow, John T.

Superior Court Judges and Commissioners

19. COMMISSIONER PAY ADJUSTMENTS

Pursuant to A.R.S. §§12-213 and 12-298, approve salary adjustments for all appointed commissioners as set forth by the Presiding Judge of the Superior Court effective January 1, 2009.

Arizona Revised Statutes §§12-213 and 12-298 authorizes the Presiding Judge to set the annual salary for all appointed commissioners at an amount which may not exceed ninety per cent of the salary of a judge of the Superior Court. Sources of funding, total amounts funded and fiscal years (FY) would be as follows: General Fund (100), \$231,145 for both FY's 2009 and 2010; Judicial Enhancement Fund (208), \$5,013 for both FY's 2009 and 2010; and Fill the Gap Fund (264), \$17,823 for both FY's 2009 and 2010. (C-80-09-004-2-00)

20. TRANSFER OF EXPENDITURE APPROPRIATION FOR TELEPHONE INTERFACE SYSTEM

Pursuant to A.R.S. 42-17106, transfer expenditure appropriation in the amount of \$64,000 from Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Superior Court (800) Conciliation Court Fees Fund (257) Non-Recurring (0001). Also decrease the revenue appropriation in the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) by \$64,000. Approval of this action will support one-time equipment and labor expenditures for the installation of an upgraded modern telephone interface system.

The Superior Court wishes to purchase and install an upgraded modern telephone interface equipment system named THAT-2 (Telephone Handset Audio Tap, version 2). This equipment would be installed in 18 Superior Court courtrooms: 11 of the courtrooms are located in the Central Court Building and 7 courtrooms are located at the Southeast Court Facility. This equipment would replace an outmoded telephone interface system. (C-80-09-003-2-00)

COUNTY MANAGER

Communications

21. IGA WITH THE CITY OF PHOENIX FOR PLATINUM PASS PROGRAM

Approve an Intergovernmental Agreement between the City of Phoenix and Maricopa County through the Communications Department, for the purpose of authorizing the participation in the Phoenix Transit Platinum Pass program which will provide electronic fare collection and billing services for bus and light rail boardings covered under the County's approved subsidy program. This Intergovernmental Agreement is non-financial and is effective from October 24, 2008 until October 24, 2011. (C-71-09-002-3-00)

Government Relations

22. AMENDMENT TO THE IGA WITH THE CITY OF CHANDLER FOR CHANDLER COUNTY ISLAND INTERIM FIRE AND EMERGENCY SERVICES

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) between Maricopa County and the City of Chandler for the provision of interim emergency and fire services to county island residents living in property located within the Chandler planning area. This amendment will replace the outside expiration date of December 31, 2008, with a new outside expiration date of June 30, 2009.

The Chandler County Island Fire District was approved by the Board on November 18, 2008 and will become effective on December 18, 2008. The District is in active negotiations with the City of Chandler to enter a contract for fire and emergency services. In the interim, the amended IGA will continue to provide a mechanism for the provision of these services with county island residents until a contract is in place or June 30, 2009, whichever is earlier. (C-20-08-023-2-01)

Office of the County Manager

23. TECHNICAL CORRECTIONS TO AMEND THE DEPARTMENT/FUND/FUNCTION

COMBINATION INDICATED

Approve Technical Corrections to amend the Department/Fund/Function combination indicated on the following previously approved agenda items from Appropriated Fund Balance (480) General Fund (100) Function (none listed) to Non Departmental (470) General Fund (100) Function 0001. This correction does not change the direction or intent of the previous actions:(C-20-08-068-3-00) (C-20-08-069-3-00) Also, for the items listed above, if awarded, pursuant to A.R.S. 42-17106(B), approve adjustments in the amount of the actual award to the appropriated revenue and expenditure budget for the Non Departmental (470) General Fund (100) Function (0001). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and therefore expenditures of these revenues are not prohibited by the law. This adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

Starting in FY 2008-09, Appropriated Fund Balance (480) is no longer in use and was replaced by the Non Departmental (470) Function 0001. The agenda items listed above were submitted in the prior fiscal year, prior to the change, and therefore require a change to the Department and Function to be properly budgeted and accounted for. (C-20-09-038-G-00)

24. ACCEPT THE 2008 BULLETPROOF VEST PARTNERSHIP GRANT FUNDS

Approve acceptance of Bulletproof Vest Partnership grant funding from the Federal Bureau of Justice Assistance (BJA) in the amount of \$52, 016. Funds will be used to reimburse costs for bulletproof vests for the Maricopa County Sheriff's Office, the Maricopa County Adult Probation Department and the Maricopa County Juvenile Probation Department. The Maricopa County Sheriff's Office will receive \$29,327 towards 839 vests. The Maricopa County Adult Probation Department will receive \$17,477 toward 499 vests and the Maricopa County Juvenile Probation Department will receive \$5,212 towards 148 vests. The term of the grant is from April 1, 2008 to September 30, 2010. Also, approve revenue and expenditure appropriation increase adjustment not to exceed \$29,326 for FY 2009 to the Maricopa County Sheriff's Office (500) Grants Fund (251), Function Operating (0000). Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. The grantor does not allow for indirect cost recovery. The total unrecoverable indirect amount is \$6,841. The Sheriff Department indirect rate is 12.2% and they will not recover \$3,578. The Adult Probation Department indirect rate is 9.1% and they will not recover \$1,590. The Juvenile Probation Department indirect rate is 32.1% and they will not recover \$1,673.

On June 26, 1998, the Bulletproof Vest Partnership (BVP) Grant Act of 1998 was signed as law (Public Law 105-181). The purpose of the Act is to save the lives of law enforcement officers by helping state and units of local and tribal government equip their law enforcement officers with armor vests. Through the Bulletproof Vest Partnership Grant Program, administered by the Bureau of Justice Assistance (BJA), the federal government will give priority and cover up to 50 percent of the cost for vests to jurisdictions with less than 100,000 people. Jurisdictions with over 100,000 people will get a percentage of any remaining BVP funds. These funds are for use by law enforcement officers, broadly defined to include police officers, sheriff's deputies, correctional officers, parole and probation agents, park police and others. All bulletproof vests will be put to use in guarding the safety of county personnel. Maricopa County has been receiving these funds since 2001. (C-20-09-039-G-00)

25. TECHNICAL CORRECTIONS TO AMEND THE DEPARTMENT/FUND COMBINATION

Approve a Technical Correction to the Department/Fund combination indicated on the following listed items previously approved by the Board of Supervisors from Non Departmental (470) Non Departmental Grant Fund (249) Function 0001 to County Manager's Office (200) Non Departmental Grant Fund (249) Non Recurring Non Project (0001). This correction does not change the direction or intent of the previous actions. (C-20-08-060-3-00)(C-20-08-054-3-00)(C-20-08-061-3-00)(C-20-08-062-3-00)(C-20-08-063-3-00)(C-20-08-065-3-00)(C-20-08-066-3-00)(C-20-08-067-3-00)(C-20-08-071-3-00)(C-20-08-072-3-00)(C-20-09-003-G-00)(C-20-09-004-G-00)(C-20-09-008-G-00)(C-20-09-009-G-00)(C-20-07-002-3-00)(C-20-08-070-3-00)(C-20-09-005-G-00)(C-20-08-044-3-00)(C-20-09-027-G-00)(C-20-08-008-G-00)

Also, for the items listed above, if awarded, pursuant to A.R.S. 42-17106(B), approve adjustments in the amount of the actual award to the appropriated revenue and expenditure budget for the County Manager's Office (200) Non Departmental Grant Fund (249) Non Recurring Non Project (0001). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and therefore expenditures of these revenues are not prohibited by the law. This adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

Starting in FY 2008-09, the County Manager's Office (Department 200), Non-Departmental Grant Fund (249) will be used to budget and record revenue and expenditures for the Tribal Gaming grant funds. The agenda items listed above were submitted and approved either in the prior fiscal year or early in the current fiscal year, prior to the Non Departmental Grant Fund (249) being established in the County Manager's Office (200) and therefore require a change to the Department/Fund combination to be properly budgeted and accounted for based on the new combination. This agenda item adds the Non Departmental Grant Fund (249) to the County Managers Office (200) and corrects the above listed agenda items. (C-20-09-037-G-00)

DEPUTY COUNTY MANAGER

Management and Budget

26. AMEND BUDGET AND ENCUMBER FUNDS FOR FY 2008-09 MANDATED STATE CONTRIBUTIONS

Approve the following: Pursuant to Laws 2008 Chapter 285, Section 47, Subsection A and Laws 2008 Chapter 288, Section 10, Subsection A, and the "FY 2008-09 State Contribution Funding Guidelines" approved by the Board of Supervisors on November 18, 2008 (C-49-09-037-2-00), increase appropriated expenditures by a total of \$26,811,957 in the amounts listed in Exhibit A for each department, fund and function for the purpose of fulfilling the mandated contributions to the State of Arizona Pursuant to Laws 2008 Chapter 285, Section 47, Subsection C and Laws 2008 Chapter 288, Section 10, Subsection C, the mandated State contributions appropriated by this agenda item are excluded from the County constitutional expenditure limitations, and this budget adjustment therefore does not alter the budget constraining the expenditure of local revenues duly adopted by the Board of Supervisors per A.R.S. §42-17105.2. Direct the Department of Finance to encumber amounts to be paid to the State Treasurer for mandated State contributions in the amounts of \$24,168,400 per Laws 2008 Chapter 288, Section 10, Subsection A and \$4,681,991 per Laws 2008 Chapter 285, Section 47, Subsection A. The amounts to be encumbered are as listed in Exhibit A, plus \$2,038,434 from Sheriff (500), Inmate Services Fund (252), Non

Recurring Non Project (0001) pursuant to Agenda C-50-09-018-2-00. Actual payment will be made upon further direction from the County Manager.

The purpose of this agenda item is to amend the budget and encumber funds for future payment to the State of Arizona pursuant to Laws 2008 Chapter 285, Section 47 and Laws 2008 Chapter 288, Section 10. Subsection B of both laws states as follows: "Notwithstanding any other law, a county may meet any statutory funding requirements of this section from any source of county revenue designated by the county, including funds of any county wide special taxing district in which the board of supervisors serves as the board of directors." On November 17, 2008 (C-49-09-037-2-00) the Board of Supervisors approved the "FY 2008-09 State Contribution Funding Guidelines." The amounts to be budgeted and encumbered for payment of the mandated State contributions by this action follow the guidelines approved by the Board of Supervisors. (C-49-09-037-2-01)

Public Health

27. AMENDMENT TO IGA WITH LIBERTY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve Amendment No. 4 to Intergovernmental Agreement (IGA) with Liberty School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$4,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$21,500 for the term July 1, 2006 through May 1, 2009. (C-86-07-420-2-04)

28. PARTNERSHIP AGREEMENT WITH 1 VOICE COMMUNITY CENTER FOR HIV COUNSELING AND TESTING

Approve a non-financial Partnership Agreement (PA) between 1 Voice Community Center (1VCC) and Maricopa County through its Department of Public Health (MCDPH), HIV/HCV Infection Control and Surveillance, for the outstationing of MCDPH personnel to provide HIV counseling, anti-body testing, partner counseling and health care referral services in a room provided, rent-free, at 1VCC . The term for this PA is from December 1, 2008 to December 31, 2009, and is renewable for an additional two years by mutual agreement. (C-86-09-039-3-00)

29. AGREEMENT WITH IOWA STATE UNIVERSITY FOR TRAINING EXPERIENCE FOR STUDENTS

Approve the non-financial Affiliation Agreement between Iowa State University (ISU) and the Maricopa County through its Department of Public Health to provide training experience for ISU students in the Department of Public Health Office of Nutrition Services. The agreement is effective from October 1, 2008 until June 30, 2013. (C-86-09-038-3-00)

30. ACCEPT FUNDS FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES/REGION IX OFFICE OF MINORITY HEALTH

Approve and accept grant funding from Office of Minority Health to Maricopa County by and through Department of Public Health's Office of Family Health for the purpose of eliminating health disparities through development of a Center for African American Health. Grant funding is in the amount of \$3,000. The term of this grant is from September 10, 2008 through March 9, 2009. Also, approve revenue and expenditure appropriation adjustments to the Public Health (860) Grant Fund (532) Function Code (0000) associated with the aforementioned grant in an amount of \$3,000 for FY 2008-09. The appropriations

adjustment is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The Department of Public Health's indirect rate for FY 2008-09 is 18%. This grant allows for full indirect cost reimbursement. Estimated total indirect costs are \$458 all of which is recoverable. Funding for this grant is being provided by Department of Health and Human Services' Region IX Office of Minority Health and will not affect the County general fund. (C-86-09-028-G-00)

31. RESCIND AND APPROVE AMENDMENT TO PROVIDER PARTICIPATION AGREEMENT WITH MAGELLAN HEALTH SERVICES OF ARIZONA, INC

1. Rescind the action taken on February 6, 2008 (C-86-08-024-1-01) to amend the Provider Participation Agreement from Magellan Health of Arizona, Inc. (Magellan) due to the fact that the amendment documents were never countersigned by Magellan. A replacement Amendment No. 1 is being submitted for approval.

2. Approve Amendment No. 1 to the Provider Participation Agreement between Magellan Health Services of Arizona, Inc. and Maricopa County through its Department of Public Health, Health Care for the Homeless Clinic (HCH). This amendment will revise the Agreement to reflect availability of funds for Fiscal Year 2008-09, include Scope of Work, and replace the Provider Funding Terms. This amendment increases the maximum amount HCH is allowed to bill for behavioral health services from \$66,799 to \$175,000, effective as of July 1, 2008 through June 30, 2009 with a one-year automatic renewal on a year to year basis. The Department of Public Health's indirect rate for FY 2008-09 is 18%. This agreement is part of Healthcare for the Homeless grant s agreement is a part of as program income allows for indirect reimbursement at a rate of 15.397%. Total indirect expenses are estimated to be \$ 27,297 of which \$ 23,350 is recoverable and \$ 3,947 is not recoverable. Also approve a revenue and expenditure appropriation adjustment to the Department of Public Health (860) Grant fund (532) Operating Budget (0000) associated with the aforementioned grant in an amount of \$108,201 for FY 2008-09 as these funds were not included in the FY 2008-09 adopted budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

All other terms and provisions of the Agreement not modified as set forth herein shall remain in full force and effect. Of the total agreement, \$66,799 was already included in the FY 2008-09 adopted budget. (C-86-08-024-1-02)

32. AMENDMENT TO IGA WITH THE MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT FOR CAR SEAT AND BIKE HELMET EDUCATION DISTRIBUTION AND STORAGE

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) with the Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County through its Department of Public Health's Office of Health Promotion and Education to provide car seat and bike helmet education distribution and storage. This amendment extends the term of the agreement starting January 1, 2009 through December 31, 2009 and provides funding to MIHS in the amount of \$85,000. Amendment No. 1 also makes changes to Section I of the General Provisions.

Funding for this agreement is provided to the Department of Public Health by a grant from the Arizona Department of Health Services (HG754060-005) and does not affect the county general fund. (C-86-08-039-2-01)

33. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TUBERCULOSIS CONTROL

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) No. HG852310 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide additional grant funding for Tuberculosis Control. This amendment budget amount is \$280,845 for the budget period of January 1, 2009 through December 31, 2009. This amendment also makes administrative changes to the SPECIAL TERMS AND CONDITIONS. The Department of Public Health's indirect rate for FY 2008-09 is 18%. Indirect costs are estimated at \$42,841 and are fully recoverable. Half of the grant award is already included in the FY 2008-09 adopted budget in the amount of \$140,423

An appropriation adjustment is not requested at this time as these funds were included in the FY 2008-09 Adopted Budget. Funds for this IGA are provided by a grant from ADHS and do not increase the County's general fund. (C-86-08-062-2-01)

34. AMENDMENT TO LEASE AGREEMENT FOR IMMUNIZATION CLINIC AT BRITTANY SQUARE SHOPPING CENTER

Approve Amendment No. 1 to Lease No. L-7343 with Binderup Investments, Inc., as successor in interest to Brittany Square Shopping Center, LLLP, limited liability limited partnership, Lessor, for premises currently used as an immunization clinic. The premises located at 6666 W. Peoria Ave, Glendale AZ, contains 2,368 square feet of leased space. The current lease is extended five years to commence on January 1, 2009 and terminating on December 31, 2013. The annual base rental cost are: Year 1) \$34,335.96, Year 2) \$35,520.00, Year 3) \$36,704.00, Year 4) \$38,480.00, and Year 5) \$40,256.00, plus 2.4 % rental tax. Additional estimated rents for Common Area Charges (CAM) are \$10,800.00 per year. Tenant is also responsible for the monthly utility charges and maintenance cost. The Lease Agreement contains provisions for lease termination with 180-day written notice. The Facility Review Committee has endorsed this lease amendment. All other terms and conditions of the Lease remain the same and in full force. (C-86-04-022-4-01)

35. AMENDMENT TO FACILITY USE AGREEMENT FOR CHANDLER WIC CLINIC

Approve Amendment No. 1 to the full service Facilities Use Agreement No. P50108 with Catholic Healthcare West, a California non-profit public benefit Corporation d.b.a. Chandler Regional Medical Center, Licensee, for the use of clinic space to perform vaccinations to uninsured children at the WIC clinic located at 3002 N. Arizona Ave., Chandler, AZ. The term of the Agreement is from January 1, 2009 through December 31, 2009. License agrees to provide the services at no cost to the County and the recipients. County agrees to provide access and promotion assistance without monetary remuneration. (C-86-08-071-0-01)

36. IGA WITH ADHS FOR BREASTFEEDING PEER COUNSELING PROGRAM

Approve Intergovernmental Agreement (IGA) No. HG961186 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide grant funding for the Breastfeeding Peer Counseling Program. The term for this IGA is October 1, 2008 through September 30, 2013. The budget amount of \$731,870 is for the budget period of October 1, 2008 through September 30, 2009. The Department of Public

Health's indirect rate for FY 2008-09 is 18%. Indirect costs are estimated at \$111,641 and are fully recoverable. Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532, Function Code 0000) associated with the aforementioned grant in an amount of \$370,847 for FY 2008-09. The appropriations adjustment is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Of the total grant award, \$178,056 was already included in the FY 2008-09 adopted budget. Funds for this IGA are provided by a grant from ADHS and do not increase the County's general fund. (C-86-09-040-3-00)

Workforce Management and Development

37. MARICOPA COUNTY EMPLOYEE LEAVE PLAN CHANGES

Approve changes to the Maricopa County Employee Leave Plan at the request of the Director of Workforce Management & Development. These changes are either necessary for or in anticipation of the conversion of the County's HRIS system, which currently is expected to occur in April of 2009. This item requests Board approval for the Leave Plan changes in concept only. Approval of Leave Plan language will be requested during the first quarter of 2009, when the Board is presented with proposed revisions to the Leave Plan.

In preparation for the conversion to the ADP HRIS system during calendar year 2009, it is necessary to input "rules" so that the system will automatically process employee leave events including (but not limited to) personal and sick leave, leave under the FMLA, holiday and bereavement leave, and even leave without pay. All current categories of leave have been reviewed and evaluated, and specific changes have been proposed, either because they are necessary in order to avoid expensive customization costs, or because the changes represent "best practices" and an improvement in the County's own processes. The spreadsheet accompanying this agenda item itemizes all areas of the Leave Plan that are impacted by this proposal and is kept on file in the Office of the Clerk of the Board and retained in accordance with the approved ASLAPR Retention Schedule.
(C-31-09-006-6-00)

ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION

Animal Care & Control Services

38. DONATIONS

- a. Accept the monetary donation from an **anonymous donor** in the amount of \$520 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.
(C-79-09-043-D-00)
- b. Accept the restricted monetary donation from **Friends of Animal Care & Control**

(FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$71,595 and \$7,435.66 for continuation of two MCACC staff positions for Maricopa County Animal Care & Control (MCACC). The total donation received was in the amount of \$79,030.66. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.
(C-79-09-044-D-00)

- c. Accept the restricted monetary donation from the **Arizona Companion Animal Spay and Neuter Committee**, in the amount of \$10,000. These funds were made available from the support and sales of the Arizona Companion Animal Spay and Neuter Pet Friendly License Plates. This restricted donation is to fund the Maricopa County Spay/Neuter Voucher Program. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.
(C-79-09-045-D-00)

Community Development

39. IGA FOR THE ACQUISITION, REHABILITATION AND RESALE OF ABANDONED AND FORECLOSED RESIDENTIAL PROPERTIES

Approve an Intergovernmental Agreement (IGA) between Housing Authority of Maricopa County and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$8,700,000. This Intergovernmental Agreement is funded by a grant from the U. S. Department of Housing and Urban Development, (CFDA #14-218). The purpose of this Intergovernmental Agreement is to acquire, rehabilitate and resell abandoned and foreclosed residential properties under the Neighborhood Stabilization Program. This Intergovernmental Agreement is effective from HUD release of funds until June 30, 2013.

The IGA will provide for an initial allocation of Neighborhood Stabilization Program (NSP) funds to the Housing Authority of \$6,233,274. Program income is expected to be earned under this activity and will be returned to the Housing Authority, minus a 10% set aside for administration, for continuation of this activity. At this time, it is expected that the Housing Authority will receive \$2,466,726 in program income. With the additional program income, this will provide the Housing Authority with funding capacity of \$8,700,000 for this activity. This activity is expected to produce at least 50 houses for resale to low, moderate, and middle income households. (C-17-09-048-3-00)

40. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - PHOENIX REGIONAL SPORTS COMMISSION

Approve a Contract between Phoenix Regional Sports Commission and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$22,500. The purpose of this Contract is to provide FY 2008-2009 nonprofit economic development funding to the Phoenix Regional Sports Commission for the purposes of soliciting and bidding on sports related events, which may require a bid fee, through the sponsorship of events as part of its guarantee. The agency will also pursue bids on additional amateur, youth and professional sports events that will be new to the County. This Contract is effective from July 1, 2008 until June 30, 2009. This will be the last payment to the

Commission as this Commission will be organizing as a nonprofit corporation. (C-20-09-036-3-00)

Human Services

41. MEMORANDUM OF UNDERSTANDING WITH AARP FOUNDATION WORKSEARCH AND MARICOPA COMMUNITY COLLEGES & PARTNERS

Approve Memorandum of Understanding between AARP Foundation WorkSearch and Maricopa Community Colleges and Partners. Maricopa County Human Services Department Workforce Development Division/Maricopa Workforce Connections (MWC) is a Maricopa Community Colleges partner agency. The activities for this agreement will include employment training opportunities for WorkSearch participants. Funding for these activities is provided through Arizona State Department of Economic Security under the Workforce Investment Act (WIA) of 1998. Maricopa County Board of Supervisors accepted funding on July 8, 2008 (C-22-09-008-3-00). This MOU is non-financial and is effective upon signature by both parties and will expire December 17, 2009. (C-22-09-117-3-00)

42. CONTRACT WITH AEROSTAR AEROSPACE MANUFACTURING FOR EMPLOYED WORKER TRAINING PROGRAM

Approve a contract between Aerostar Aerospace Manufacturing and Maricopa County administered by its Human Services Department in the not-to-exceed amount of \$28,100. The purpose of this Contract is to provide training funded by the Employed Worker Training Program (EWTP). The term of this contract shall begin upon approval and signature of the Maricopa County Board of Supervisors and end one year from the signature date. This is an expenditure contract and the vendor's training program in the amount of \$28,100 is not subject to indirect charges. The expenditures from this contract are reimbursed under the DES IGA C-22-09-008-3-00. (C-22-09-119-3-00)

43. CONTRACT WITH NANOVOLTAIX, INC. FOR EMPLOYED WORKER TRAINING PROGRAM

Approve a contract between NanoVoltaix, Inc. and Maricopa County administered by its Human Services Department in the not-to-exceed amount of \$38,400. The purpose of this Contract is to provide training through the Employed Worker Training Program (EWTP). The term of this contract shall begin upon approval and signature of the Maricopa County Board of Supervisors and end one year from the signature date. This is an expenditure contract and the vendor's training program in the amount of \$38,400 is not subject to indirect charges. The expenditures from this contract are reimbursed under the DES IGA C-22-09-008-3-00. (C-22-09-118-3-00)

44. IGA WITH THE CITY OF PHOENIX FOR SPECIAL TRANSPORTATION SERVICES (NEW FREEDOM)

Approve an Intergovernmental Agreement between The City of Phoenix and Maricopa County Human Services Department (HSD), for the provision of special transportation services (STS). This Agreement is effective from July 1, 2008 until June 30, 2009. The purpose of this Agreement is for the provision of grant reimbursement for purchases of items/services shown in the "Project Description" box on Exhibit "A" for an amount not-to-exceed \$130,865. HSDs FY 2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$17,267. Appropriations adjustment is not requested at this time as these funds are included in the 2008-09 Adopted Budget. (C-22-09-116-3-00)

45. IGA WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR BACKGROUND

CHECKS

Approve this Intergovernmental Agreement (IGA) between Arizona Department of Public Safety and Maricopa County, administered by its Human Services Department for the purpose of providing background checks to the department. The use of the information received under the terms of this agreement shall be limited to the specific purpose of evaluating the fitness of current or prospective licensees, employees, contract employees, or volunteers of the agency. The agreement begins on the date of Board approval and continues until terminated by either party. Funding for this agreement is provided by a grant from a Headstart Federal Grant pass through # 09CH7096/43 and will not impact the County general fund budget. (C-22-09-122-3-00)

Medical Examiner

46. APPLY AND ACCEPT GRANT FUNDS FOR PURCHASE OF A GAS CHROMATOGRAPH/MASS SPECTROMETER (GC/MS)

Approve the application and acceptance of grant funds from National Institute of Justice-Coverdell Forensic Science Improvement Grant Program, (2008-91938-AZ-CD), in the not-to-exceed amount of \$95,000 for the purpose of purchasing a Gas Chromatograph/Mass Spectrometer (GC/MS) for drug quantitations. The grant award begins on October 1, 2008 and ends on September 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Office of Medical Examiner or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Office of Medical Examiner's composite indirect cost rate at 24.8%, or \$23,560. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$23,560. Upon receipt of funds and pursuant to ARS §42-17106(B), approve revenue and expenditure appropriation adjustments to the Office of Medical Examiner (290) Office of the Medical Examiner (224) Non-recurring Non-Project Function (0001) associated with the grant in the amount of \$95,000 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The grant funding deviates from the Maricopa County Policy for Administering Grants (A2505) which requires all departments/special districts to obtain Board of Supervisors approval prior to submitting an application for grant funding. The Office of the Medical Examiner applied for grant funding without the required Board of Supervisor approval and is requesting retroactive approval of the application. (C-29-09-006-G-00)

47. APPLY AND ACCEPT GRANT FUNDS FOR TRAINING AND EDUCATION

Approve the application and acceptance of grant funds from Arizona Criminal Justice Commission, (CV-09-003), in the not-to-exceed amount of \$17,015 for the purpose of improving the quality and timeliness of forensic science and medical services by providing training and education. The grant award begins on October 1, 2008 and ends on September 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Office of Medical Examiner or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Office of Medical Examiner's composite indirect cost rate at 24.8%, or \$4,220. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$4,220. Upon receipt of funds and pursuant to ARS §42-17106(B), approve revenue and expenditure appropriation

adjustments to the Office of Medical Examiner (290) Medical Examiner Grant Fund (224) Non-recurring Non-Project Function (0001) associated with the grant in the amount of \$17,015 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The grant funding deviates from the Maricopa County Policy for Administering Grants (A2505) which requires all departments/special districts to obtain Board of Supervisors approval prior to submitting an application for grant funding. The Office of the Medical Examiner applied for grant funding without the required Board of Supervisor approval and is requesting retroactive approval of the application. (C-29-09-005-G-00)

CHIEF FINANCIAL OFFICER

Finance

48. FUNDS TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

49. DECLARE REAL PROPERTY AS SURPLUS PROPERTY AND APPROVE A LAND EXCHANGE WITH CITY OF PHOENIX

Declare two County-owned real estate parcels located at 355 N. 5th Avenue and 358 N. 5th Avenue in Phoenix to be surplus property. Approve and authorize the Chairman of the Board to execute, an Intergovernmental Agreement (IGA) with the City of Phoenix (City) for the exchange of real property. Authorize the Chairman of the Board to execute all necessary documents approved by County Counsel to complete this real property exchange. Authorize the due diligence and escrow expenditures required to complete the proposed exchange of properties with the City. Authorize publication of required public notice pursuant to ARS 11-251 (44) for the proposed exchange of properties with the City.

The County-owned surplus property is described as: Lot 1 and Lot 2, according to Book 431 of Maps, page 50, records of Maricopa County, Arizona. The proposed IGA will authorize Maricopa County (County) to convey approximately 41,818 square feet of excess County-owned real property located at 358 N. 5th Avenue (APN 111-41-179) to the City in exchange for approximately 56,000 square feet of City-owned real property consisting of Madison Street from First Avenue to Third Avenue (excluding the intersections at 1st Avenue and 3rd Avenue) plus \$150,071 in cash. In addition, the IGA will grant the City a five-year option to exchange real property and cash consisting of Madison Street from 3rd Avenue to 5th Avenue plus approximately 60,197 s.f. of real property at 9th Avenue and Jackson in Phoenix (APN 112-05-132) plus \$8,069,361 in cash to the County in exchange for approximately 171,844 square feet of County-owned excess real property located at 355 N. 5th Avenue in Phoenix (APN 111-41-178). In the event the City exercises its option right, the City will pay the County an additional option fee based upon when the option is exercised. The option fee will be \$0 during the first option year, \$25,000 if the option is exercised during the second option year, \$75,000 if the option is exercised during the third option year,

\$150,000 if the option is exercised during the fourth option year and \$250,000 if the option is exercised during the fifth option year. The County will have a simultaneous five-year no-cost option to purchase at the July 3, 2008 appraised values any of the proposed City-owned exchange properties (Madison Street from 3rd to 4th Avenue and/or Madison Street from 4th to 5th Avenue and/or APN 112-05-132). (C-18-09-033-8-00)

50. TRANSFER AND CONVEYANCE OF THE MARICOPA COUNTY EVENTS CENTER AND PARKING LOT (FORMERLY KNOWN AS THE SUNDOME CENTER FOR THE PERFORMING ARTS) TO THE ARIZONA BOARD OF REGENTS

Approve the transfer and conveyance of the Maricopa County Events Center and parking lot (formerly known as the Sundome Center for the Performing Arts) to the Arizona Board of Regents for and on behalf of Arizona State University, pursuant to the 2005 Agreement section 2. (e), effective December 31, 2008. Also, authorize the Chairman to execute all necessary documents approved by County Counsel to complete the transfer and conveyance. (C-18-09-035-8-00)

Materials Management

51. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

a. 05115-S, INFORMATION TECHNOLOGY CONSULTANTS

Approve the recommendation for renewal of 05115-S, Information Technology Consultants (\$2,000,000 estimate/one year until November 30, 2009). Price renewal for IT consultants to be used by various County departments based on individual budgetary authorizations and requirements. Departmental requirements are competitively solicited from a qualified vendors list for proposals.

Amba Solutions Inc., Analysts International, Atomic Medium Inc., Blue Line Planning Inc., Bluecrane Inc., Candia Systems Assoc Inc., CedarCrestone Inc., Comforce Technical Services, Coolsoft LLC, Coplan And Company, Crew Providers Inc., Cybernology Inc, Data Pacific Corporation, Data Site Consortium Inc, David Ford Consulting Engineer, DevCare Solutions, Desert Sky Software Inc., E-Consulting Inc, eCorridor Inc., EDI, Engineering Mapping Solutions, Enterprise Data Consulting LLC, Enterprise Technology Services, GillTek Systems International Inc., Gistic Research Inc., Gould Intelligent LLC, Indusa Technical Corporation, Insight Public Sector Inc, Int Technologies LLC, Integrum Technologies LLC, IT Partners, KDM Technology Consulting, Inc., Kinetik I.T., KnowledgeBase Consulting, KVL Consultants Inc., Law-On-Line, Management Decisions, Inc, Matrix Resources, MSS Technologies Inc., MTG Management Consultants, Opal Soft Inc., Paradigm Solutions LLC, Pragmatica LLC, Premier Technical Resources, RB Balch Computer Consultants, S2 Business Solutions Inc., SanTrac Technologies Inc., Sentinel Technologies Inc., Stilwell Software Inc., Systems Technology Group Inc., TeamPersona, Tech One Staffing, TEKsystems, Telecom Resources International Inc., TL Solutions LLC, Torus Business Group, Training To You Inc., TriYoung Business Solutions, University Of Mississippi NCCHE, Vault Digital LLC
(C-73-09-034-3-00)

b. 08044-S, ENVIRONMENTAL SERVICES

Approve the award of 08044-S, Environmental Services (\$5,000,000 estimate/five years with five one-year renewal options until December 31, 2013). Price agreement for the provision of various areas of environmental services. Examples of services include paint analysis, asbestos, air quality and mold abatement.

All Clear Environmental Services, Amec Earth & Environmental Inc., American Technologies, Inc., Applied Envirosolutions, Inc., Argus Contracting, ATC Associates, Inc., Bob Fox, Bryan A. Stirrat & Associates, Clark Seif Clark, Inc., Columbia Analytical Services Inc., Complete Decon Inc., Converse Consultants, Danelowitz and Associates, Inc, Dominion Environmental, Dunn Environmental, EEC, Emergency Restoration Experts, Environmental Resolutions, Inc, Environmental Response, Inc., Fiberquant, FM Group Inc, Four Corners Environmental Inc, GECSA&B, Health Effects Group, Hydro Geo Chem, Inc., IHI Environmental, Kary Environmental Services, Kennedy Jenks Consultants, Kleinfelder Inc., KNK Diversified, Inc., Liesch Southwest, Inc., Logan Simpson Design Inc., Mactec Engineering and Consulting, Native Environmental LLC, Ninyo & Moore, Pender Engineering, PSC Environmental Services LLC, SCS Engineers, Speedie & Associates, Inc., Spray Systems Environmental, Stantec Consulting Inc., SWCA, Terracon Consultants, Inc., Tierra Right of Way Services, Western Technologies Inc., Weston Solutions, Inc.
(C-73-09-035-3-00)

c. 08039-S, AVAYA ENTERPRISE COMMUNICATIONS SYSTEM SUSTAINMENT

Approve the award of 08039-S, Avaya Enterprise Communications System Sustainment (\$2,000,000 estimate/three years with three one-year renewal options until December 31, 2011). Support and maintenance price agreement for the continued operation of the Avaya enterprise communications system for the Maricopa County Sheriff's Office. (C-73-09-036-3-00)

- **Quagga**

d. 08071-RFP, PROCUREMENT CARD SERVICES

Approve the award of 08071-RFP, Procurement Card Services (Revenue contract estimate/five years with five one-year renewal options until December 31, 2013). Contract for Purchase Card Services for Maricopa County. This contract provides a one-card solution that may be used for procurement, travel or fuel. (C-73-09-039-3-00)

- **U.S. Bank**

e. 06142-RFP, GDACS – GEOSPATIAL ADJUSTMENT PROJECT

Recommendation for Renewal 06142-RFP, GDACS – Geospatial Adjustment Project (\$708,558 estimate/one year until October 31, 2009). Contract renewal for the adjustment of existing GIS features to the County's Geodetic Densification and Cadastral Survey for the County Assessor. (C-73-09-038-3-00)

- **Smart Data Strategies**

52. ADMINISTRATIVE CORRECITON

Approve an administrative correction to the contract term and expiration for 08060-ITN, Hosting And Support Services CGI/AMS Advantage General Ledger System, (\$4,000,000 estimate/five years and six months with five one-year renewal options until June 13, 2014). Correct contract term from five years with five one-year renewal options to five years six months with five one-year renewal options. Contract was initially approved on November 18, 2008 under agenda C-73-09-030-3-00. (C-73-09-037-3-00)

Parks and Recreation

53. CONTRACT WITH NORTHWEST WOODLAND SERVICES, INC. FOR MARICOPA REGIONAL TRAIL CONSTRUCTION SERVICES

Approve and execute the Construction Manager At Risk (CMAR) construction services contract with Northwest Woodland Services, Inc. for the pre-construction management during the pre-construction services phase and to serve as general contractor during the construction phase of the Maricopa Regional Trail in the amount of \$191,250. Funding for this construction is available within the Appropriated Fund Balance (470) General Fund County Improvement Fund (445) non-recurring (0001) in FY 2008-09. (C-30-09-017-5-00)

ASSISTANT COUNTY MANAGER - PUBLIC WORKS

Facilities Management

54. RIDER AND AMENDMENT TO CONTRACT WITH PARCOMM

Approve "Rider and Amendment to January 4, 2008 Contract Between Parsons Commercial Technology Group, Inc. (PARCOMM) and Maricopa County," for the purpose of deferring the purchase of an OCIP insurance policy until at least the completion of the Design Development phase of the Court Tower project (3325-07-380), and requiring that the CMR, Gilbane Building Company, purchase and obtain an insurance policy(ies) to provide adequate coverage to the County. The Contract with PARCOMM, effective August 17, 2007, was approved by the Board of Supervisors on December 19, 2007.

On December 19, 2007, the Board of Supervisors approved action C-70-08-022-5-00, which awarded the design phase services contract to Gilbane Building Company of Phoenix, Arizona, Contract No. FMD-07-041, in an amount not-to- exceed \$2,000,000, effective July 30, 2007, for the design phase of the Downtown Court Tower. The actual design phase services contract with Gilbane Building Company, dated January 16, 2008, was signed by the Board of Supervisors on February 12, 2008. Section 4.2.2 of the General Conditions of the contract provided that an Owner Controlled Insurance Program (OCIP) be instituted by Maricopa County. At this time, the parties agree that it is more advantageous to the County and the project that the OCIP be deferred until the completion of the Design Development phase of the project and, in lieu of the OCIP, the contractor has put in place an insurance policy(ies) with the following limits: • CGL - \$2,000,000; Encumbered Aggregate: \$4,000,000 • Excess - \$25,000,000 • E&O - None Gilbane Building Company provided certificates of insurance for this coverage within 20 days of approval of its Rider and Amendment on May 21, 2008, by the Board of Supervisors. The cost for this coverage was absorbed within the CMR's existing contract value. The project is located in District 5. (C-70-08-024-5-01)

Public Works

55. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-221-7-00)

56. IGA WITH CITY OF SCOTTSDALE FOR IMPROVEMENTS TO RIO VERDE DRIVE FROM 136TH STREET TO FOREST ROAD

Approve the Intergovernmental Agreement between Maricopa County, acting through the Maricopa County Department of Transportation (County) and the City of Scottsdale (City) for improvements to Rio Verde Drive from 136th Street to Forest Road. The estimated cost for the Dust Mitigation (DMIT) Job Number T192 is \$2.8 million with federal funds appropriated at \$507,500 (18%). The County is responsible for 100% of the remaining cost of the project. The County's remaining estimated total project cost is \$2.29 million.

The purpose of this project is to widen the existing pavement and provide five foot paved shoulders on each side of the roadway, inclusive of intersection improvements, to create a safer environment for bicycle lanes. The project is scheduled to bid in February 2009 and the County will act as lead agency for the project. The City will issue any necessary permits at no cost to the County to work within the City's jurisdictional boundaries. The total cost of this project is currently estimated at \$2.8 million with federal funds appropriated at \$507,500. The federal appropriated funds are 18% of the estimated total project cost. These Congestion Mitigation and Air Quality (CMAQ) funds will be awarded to the County through the Maricopa Association of Governments (MAG). The County is responsible for 100% of the remaining cost of the project. The County's remaining estimated total project cost is \$2.29 million. Upon completion of the project, the City will assume responsibility to operate and maintain the project improvements within the City's jurisdictional limits. Additionally, the County will assume responsibility to operate and maintain the project improvements within the County's jurisdictional limits. Supervisory District No. 2 (C-91-09-084-M-00)

57. BID AND AWARD FOR ASPHALT-RUBBER OVERLAY PROJECT

Approve the solicitation of bids for the Maricopa County Department of Transportation's Asphalt Rubber Overlay, FY 2008-09 Work Order Number 30050058. Approve the award to the lowest responsive bidder, provided that the lowest responsive bidder does not exceed the Engineer's estimate by more than ten percent.

This project consists of edge milling and overlaying the existing road surfaces with Asphalt Rubber Concrete Pavement. Replacement or installation of pavement delineation and other miscellaneous work items are required to complete the project. The project consists of approximately 7.01 miles (165,684 SYDS) of road detailed in the included Maintenance Plan. Supervisory Districts 1, 2 and 4 (C-91-09-087-M-00)

58. BID AND AWARD CONTRACT TO CACTUS ASPHALT FOR PRESERVATIVE SEAL PROJECT

Approve the bid for Maricopa County Department of Transportation's Preservative Seal Surface Treatment, FY 2008-09 Work Order Number 30050059. Approve the award to Cactus Asphalt. By participating in the Job Order Contract (JOC) selection process, Cactus was chosen as the contractor.

The project consists of treating existing road surfaces with a preservative type material.

Replacement or installation of pavement delineation and miscellaneous work items may be required to complete the project. Supervisory Districts 1,2,3,4 and 5 (C-91-09-086-M-00)

59. BIDS AND AWARD FOR ALMA SCHOOL ROAD SOUTH BRIDGE AT SALT RIVER, BANK PROTECTION, SLOPE LAYBACK AND GABION REPAIR

Approve solicitation of bids for Alma School Road South Bridge at Salt River, Bridge Preservation (BRIG) Project No. T070; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by ten percent. No federal aid is involved. Salt River Pima Maricopa Indian Community (SRPMIC) is involved.

This Project consists of scour protection repair and improvements. This Project will be procured in accordance with the mandate set forth in the Maricopa County Procurement Code, Article 5, and Section 504. Supervisory District 2. (C-91-09-089-M-00)

60. ANNEXATION (RIGHT OF WAY) BY CITY OF PHOENIX

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of Phoenix of County right-of-way within: 7th Avenue and Happy Valley Road, in accordance with Ordinance No. S-35520. (Supervisory District No. 3) (C-91-09-085-M-00)

61. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF QUEEN CREEK

Pursuant to A.R.S. §9-471(N), approve the annexation by the Town of Queen Creek of County right-of-way within: Sossaman Road from quarter corner common to Section 7 and 8, T2S-R7E North to the South right-of-way line of Rittenhouse Road, in accordance with Ordinance No. 416-08. (Supervisory District No. 1) (C-91-09-088-M-00)

62. RENEWAL OF LICENSE AGREEMENT WITH MCI COMMUNICATIONS SERVICES, INC.

Approve a license renewal with MCI Communications Services Inc. for new and existing buried facilities within various areas of Maricopa County right of way. The annual fee will be at \$.54 cents (fifty-four cents) per lineal foot annually. They currently have 101,082 lineal feet of buried facilities within Maricopa County right of way. The term of this license shall continue and exist for twenty years with the annual fee renegotiated every five years.

Revenue will be budgeted in the Transportation Operations Fund (232) each year from FY 2009-10 through FY 2012-13. MCI shall provide a copy of its certificate of public convenience and necessity (issued by the Arizona Corporation Commission) to the County within 30 days after the issuance of the license renewal and following any amendment to the certificate of public convenience and necessity. Supervisory District 1, 2, 3, 4 and 5. (C-91-09-082-L-00)

63. IGA WITH THE CITY OF EL MIRAGE, THE CITY OF GLENDALE, AND THE CITY OF PEORIA FOR NORTHERN PARKWAY, FROM SR 303 TO US 60 (GRAND AVENUE)

Approve the Intergovernmental Agreement (IGA) among Maricopa County, the City of El Mirage, the City of Glendale, and the City of Peoria for improvements to Northern Parkway from SR 303 to US 60 (Grand Avenue). The IGA is in effect from the date of recording by the Maricopa County Recorder and remains in effect until all the stipulations as detailed in the IGA are satisfied.

The planned Northern Parkway (the "Project") is 12.5 miles long, extending from 67th Avenue, at its intersection with Grand Avenue, to SR 303. The Project passes through or

adjacent to the Cities of Glendale, Peoria, and El Mirage and unincorporated portions of Maricopa County. Other governmental entities potentially impacted by this Project are the Arizona Department of Transportation ("ADOT"), Luke Air Force Base ("Luke AFB") and the Flood Control District of Maricopa County ("FCDMC"). The proposed Project will be a principal arterial roadway with controlled and partially controlled access including grade-separated intersections at major cross streets. The Project will provide a much needed higher speed, higher capacity east-west route in the central portion of the West Valley where there are no east-west freeways currently planned. Maricopa County is hereby designated as the Lead Agency for the Project. As Lead Agency, the County will be responsible for leading planning and programming efforts, facilitating coordination with the Maricopa Association of Governments ("MAG"), as well as issuing and managing design and construction contracts, including field engineering and inspection work at the direction of the partners. County staff costs and other necessary expenses (direct costs) will be considered as a local match. MAINTENANCE AND OPERATION Upon completion, the Project will be maintained and operated by the jurisdiction in which it is located, that is, Glendale, Peoria and Maricopa County. The County will be responsible for Intelligent Transportation System (ITS) operations and maintenance. The Parties will develop an ITS Concept of Operations Plan for the corridor. FUNDING The total estimated remaining cost of the project is \$315,820,000 (FY 2007 dollars). The principal source of funding for this Project is regional funding (\$221,074,000), and the Parties are required to collectively supply a minimum match of 30% (\$94,746,000). Jurisdictional responsibility for the local match portion of total Project costs will be 40% Glendale, 30% Maricopa County, 20% Peoria, and 10% El Mirage. Actual dollar amounts per year per jurisdiction are subject to the Parties governing body's Council/Board budget approvals. Minimum match shares for the Project and from each Party are due to the County 60 days before the funds are committed for any services to be rendered. The County in coordination with MAG will maintain a financially balanced life cycle program to complete the Project. The program will be by year and will reference anticipated annual funding contributions by the contributing jurisdictions. Supervisorial District No. 4 (C-91-09-081-M-00)

BOARD OF SUPERVISORS

Clerk of the Board

64. REAPPOINTMENTS TO THE STATE BOARD OF EQUALIZATION

Approve the reappointment of the following members to the State Board of Equalization:

Sandor Shuch, Supervisorial District 1
Patricia J. Spott, Supervisorial District 1
Ronald Gawlitta, Supervisorial District 3
Donald Romley, Supervisorial District 3
John R. Westphal, Supervisorial District 4
Robert F. Koehler, Supervisorial District 4
Gilbert Romero, Supervisorial District 5

The term of the appointments will be effective January 1, 2009 through December 31, 2012.
(C-06-09-201-9-00)

65. REAPPOINTMENT TO THE MERIT SYSTEM COMMISSION

Approve the reappointment of the following members to the Merit System Commission:

Scott Higginson, as nominated by Supervisorial District 2

Alberto Gutier, as nominated by Supervisorial District 3

The term of the appointments will be effective January 1, 2009 through December 31, 2012.
(C-06-09-208-9-00)

66. APPOINTMENTS TO THE BOARD OF HEALTH

Approve the reappointment of the following members to the Board of Health:

Susanne Cook, Supervisorial District 2
Pam Wight, Supervisorial District 3
Audrey Adamic, At-Large
Brian F. Spicker, At-Large
Michael Kearns, At-Large
Dr. Zuhdi Jasser

The term of the appointments will be effective January 1, 2009 through December 31, 2012. In addition, approve the appointment of Shannon Smith to the Board of Health as a member At-Large. The term of the appointment will be effective as of the date of Board approval through December 31, 2012. (C-06-09-207-9-00)

67. REAPPOINTMENTS TO TRAVEL REDUCTION PROGRAM TASK FORCE - DISTRICT 3

Approve the reappointment of Ms. Judi Rogalski (Northern Trust Bank) and Mr. Aaron Rogos (Security Title Agency) to the Travel Reduction Program Regional Task Force as nominated by District 3. The term of the reappointments will be effective beginning February 1, 2009 through January 31, 2011. (C-85-09-009-9-00)

68. REAPPOINTMENT TO TRAVEL REDUCTION PROGRAM TASK FORCE

Approve the reappointment of Mr. Jerry Geering (Thornwood Furniture) and Mr. Randy Roberts (City of Peoria) to the Travel Reduction Program Regional Task Force representing District 4. The term of appointments will be effective February 1, 2009 through January 31, 2011. (C-85-09-010-9-00)

69. REAPPOINTMENTS FOR VVR&R ADVISORY COMMITTEE MEMBER

Approve the reappointments of Mr. Bill Buck (representing the Automobile Hobbyists), Mr. George Woods (representing the Automobile Hobbyists), Mr. Dennis Robbins (representing the Automotive Aftermarket Products Industry), and Ms. Beverly Chenausky (representing the Arizona Department of Transportation). The term of the reappointments will be effective February 1, 2009 through January 31, 2011. (C-85-09-011-9-00)

70. REAPPOINTMENT OF PARKS AND RECREATION COMMISSION AT-LARGE MEMBER

Approve the reappointment of Carlton F. Yoshioka, Professor, with the College of Public Programs, Department of Recreation Management with Arizona State University, to the Parks and Recreation Commission as recommended by the department Director, Richard J. Cardin. The Parks and Recreation Director shall recommend to the Board for approval the re-appointment of an at-large member of the Parks and Recreation Commission.

The Director has chosen Carlton F. Yoshioka, upon approval of the Board of Supervisors. The re-appointment is for a two-year term commencing on January 1, 2009 and ending on December 31, 2010. Mr. Yoshioka is currently a Professor with the College of Public Programs in the Department of Recreation Management with Arizona State University.

Mr. Yoshioka's professional memberships include the following:

- Member, Association for Research on Nonprofit Organizations and Voluntary Action Committee, (2008-09).
- Member, Research Consortium Review Committee, (2006).
- Member, Society of Parks and Recreation Educators Board, (2004-07).
- Contributor, Arizona Trails 2005, (2004).
- Member, Credential Committee, (2001-03).
- Member, Professional Development Committee (2001-03)
- Department Representative, Arizona Council for Enhancing Recreation and Tourism, (2001-02) (C-30-09-016-9-00)

71. APPOINTMENT TO THE INDUSTRIAL DEVELOPMENT AUTHORITY BOARD OF DIRECTORS

Accept the resignation of William Long and approve the appointment of Kimberly Owens to the Industrial Development Authority Board of Directors as nominated by Supervisorial District 4. Ms. Owens will fill the unexpired portion of the term effective as of the date of Board approval through December 17, 2009. (C-06-09-213-9-00)

Industrial Development Authority

72. RESOLUTION OF THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE RESTRUCTURING OF ITS MULTIFAMILY HOUSING REVENUE BONDS (TIERRA ANTIGUA PROJECT) SERIES 2001.

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa, Arizona for the restructuring of its Multifamily Housing Revenue Senior Bonds (Tierra Antigua Project) Series 2001A, And Subordinate Multifamily Housing Revenue Bonds (Tierra Antigua Project) Series 2001B. This item is being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board of Supervisors approve the proceedings under which bonds of The Industrial Development Authority of the County of Maricopa are issued. (C-18-09-034-4-00)

SETTING OF HEARINGS

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

Planning and Development

73. ORDINANCE P-20 MARICOPA COUNTY ADDRESSING REGULATIONS

Pursuant to A.R.S. §11-251.08, set a public hearing for January 14, 2009, to solicit comments and consider the adoption of amended Ordinance P-20 Maricopa County Addressing Regulations regarding fee increases. The amended Ordinance is effective upon Board approval.

A public hearing was held November 6, 2008, but due to an error in the legal advertisement for the November 6th public hearing, this matter is being readvertised in the legal newspaper and therefore a new public hearing date is being set for 9:00 a.m., Wednesday, January 14,

2009. (C-44-09-032-M-01)

74. FEE SCHEDULE FOR THE DRAINAGE REGULATIONS FOR MARICOPA COUNTY

Pursuant to A.R.S. §11-251, set a public hearing for January 14, 2009, to solicit comments and consider the adoption of TA2008010, a proposal to amend the Fee Schedule for the Drainage Regulations of Maricopa County. The amended Drainage Regulation Fee Schedule is to be effective upon Board approval.

This amendment is to modify the existing fee structure for Precise Plans of Development to add an additional category that would allow minor accessory construction on existing properties, developed in substantial conformance with the Drainage Regulations, to be assessed a reduced flat fee rather than the existing parcel-based fee. (C-44-09-064-M-00)

Public Works

75. TONTO HILLS DOMESTIC WATER IMPROVEMENT DISTRICT

Set a public hearing for 9:00 a.m., January 28, 2009 to hear the petition to organize the Tonto Hills Domestic Water Improvement District. The District intends to purchase an existing domestic water delivery system that provides domestic water to all properties within the district. (Supervisor District No. 2)

Petitions with the requisite number of signatures have been presented requesting the formation of Tonto Hills Domestic Water Improvement District. (C-91-09-090-M-00)

76. ROAD FILE NO. 414

Set a public hearing to declare the following road into the county highway system for 9:00 am, Wednesday, January 28, ~~2008~~ 2009.

Adopt a Resolution setting hearing on Road File No. 414, said alignment is also known as Calle Lejos from 95th Avenue to 93rd Avenue, lying within Supervisor District No.4. (C-91-09-083-M-00)

CONSENT AGENDA

Clerk of the Board

77. CANVASS OF ELECTIONS

Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's Office. (C-06-09-222-7-00)

78. DUPLICATE WARRANTS

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-09-223-7-00)

79. MARKET RANGES

Pursuant to A.R.S. §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-217-7-00)

80. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors' meetings held July 23, 2008; August 20, 2008; September 3, 2008; September 22, 2008; September 29, 2008; October 31, 2008; and December 5, 2008. (C-06-09-209-7-00)

81. SECURED TAX ROLL CORRECTIONS

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-224-7-00)

82. SETTLEMENT OF PROPERTY TAX CASES

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated December 17, 2008. List is on file in the Clerk of the Board's Office. (C-06-09-226-7-00)

83. TAX ABATEMENTS

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-225-7-00)

BOARD OF SUPERVISORS ADDENDUM

County Attorney

A-1. MARICOPA COUNTY V. DTD-DEVCO 2, L.L.C.

Authorize the County Attorney 's Office to appeal the decision of the State Board of Equalization in SBOE # 11741-07-08, DTD-DEVCO 2, L.L.C. This item was heard in Executive Session on December 15, 2008. (C-19-09-038-M-00)

A-2. ARIZONA PLUMBING SERVICES V. MARICOPA COUNTY

Authorize settlement of Arizona Plumbing Services v. Maricopa County, CV2006-005717, as discussed in Executive Session on December 15, 2008. (C-19-09-039-M-00)

Sheriff

A-3. SOLE SOURCE FOR BULL TO PROCURE AND SUPPORT DATA BASE SERVER PROCESSOR FOR JMS MIGRATION PHASE 2

Approve the Sole Source procurement contract (Serial 08117-SS) of hardware, software, licensing and system support valued at \$255,448 over three years from BULL HN Information Systems, Inc. for implementation of a Data Base Server Processor (DBSP) on

the Bull NovaScale. Bull is the sole source for adding hardware and software to the NovaScale. This contract is for a term of three (3) years, beginning on the 17th day of December, 2008 and ending the 16th day of December, 2011.

The first year's costs, estimated to be \$147,509 (\$96,485 in non-recurring and \$51,024 in recurring costs), are budgeted in the Sheriff's (50) detention fund (255). Recurring costs in the second and third year, \$53,841 and \$54,098, respectively, will be funded by the Sheriff's (50) Inmate Services Fund (252). This procurement is critical to the Jail Information Management System. Funding for this item was originally approved on October 18, 2006 in agenda C-50-07-031-8-00. This contract is to procure and support Data Base Server Processor for the Jail Management System (JMS) Migration Phase 2. (C-50-08-014-8-02)

Employee Health Initiatives

A-4. FY 2009-10 HEALTH INSURANCE PROGRAM RATES & RECOMMENDATIONS

1. Approve the health benefit products and plan design changes for the Employee Health Insurance program as defined by the CIGNA HealthCare of AZ, Walgreens Health Initiatives, Magellan Behavioral Health, Inc., and EyeMed Vision Care, contracts and/or plan documents. The benefit offerings will provide Maricopa County employees with six different medical plan options and three pharmacy plan options, allowing them to choose coverage that strikes a balance between health benefit coverage and amount of payroll deductions. Health benefit plan elections will be in force from July 1, 2009 through June 30, 2010.
2. Continue to support program management modifications that advocate the following:
 - Encourage healthy behavior change through incentive-based lower premiums
 - Remove and/or reduce barriers to preventive care
 - Improve employee health status through Wellness Initiatives
3. Continue to support the payment of health benefit-related contracts through the collection of premiums, including, but not limited to, actuarial consulting services, COBRA (Consolidated Omnibus Budget Reconciliation Act) administrative costs, Flexible Spending Account (FSA) administrative costs, and health care data aggregation services.
4. Continue to support wellness health initiatives through the collection of premium that will be used for such initiatives including, but not limited to, disease management such as diabetic management programs, anti-obesity programs, and tobacco cessation programs; preventive programs, such as on-site mammography, cholesterol and glucose screening, adult immunizations, health risk assessments and various wellness incentives and programs.
5. Approve the Maricopa County employee health benefit rates for July 1, 2009 through June 30, 2010 for active employees. See rate exhibit as on file in the Office of the Clerk of the Board. To help encourage employee healthy behavior changes and improve employee health status, pay period incentives will continue to be implemented for employees who voluntarily participate in the Health Risk Assessment and/or Biometric Screening. The pre-Medicare retirees and Medicare-eligible health benefits rates for July 1, 2009 through June 30, 2010 will be submitted separately to the Maricopa County Board of Supervisors. (C-35-09-004-M-00)

A-5. FY 2009-10 DENTAL INSURANCE PROGRAM RATES & RECOMMENDATIONS

1. Approve full and part-time employee dental rates for the fully insured Delta Dental plan effective July 1, 2009 through June 30, 2010 for active employees. There are no plan design changes to the dental plan offered through Delta Dental.

2. Approve full and part-time employee dental rates for the self-insured CIGNA Dental plan effective July 1, 2009 through June 30, 2010 for active employees. There are no plan design changes to the dental plan offered through CIGNA Dental.

3. Approve full and part-time employee dental rates for the fully insured Employers Dental Services dental plan effective July 1, 2009 through June 30, 2010 for active employees. There are no plan design changes to the dental plan offered through Employer Dental Services

4. The employer and retiree dental rates for July 1, 2009 through June 30, 2010 will be submitted separately to the Maricopa County Board of Supervisors. (C-35-09-005-M-00)

Public Health

A-6. PROCUREMENT CHANGE ORDER FOR NEWBORN INTENSIVE CARE PROGRAM

Approve the Procurement Change Order No.2 to Purchase Order (E8H21679) which provides additional funding for the Intergovernmental Agreement (IGA) (HP461413-004) between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health (MCDPH) for the Newborn Intensive Care Program. This Procurement Change Order reflects the final payment for the Newborn Intensive Care Program (NICP) for the previous grant period. In addition, MCDPH has received \$6,214 in revenue in excess of the budgeted contract amount for the NICP program ending December 30, 2008. ADHS has approved an extension of the budget period through June 30, 2009. The Procurement Change Order in the amount of \$24,050 and the additional revenue of \$6,214 increases the contract amount from \$849,001 to \$879,265 for budget period ending June 30, 2008. Also approve revenue and expenditure appropriation adjustments to the Public Health (860) Fund (532) Function Code (0000) associated with the aforementioned grant in an amount of \$30,264 for FY 2008-09. The appropriations adjustment is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The Department of Public Health's indirect rate for FY 2008-09 is 18%. Grant indirect costs are fully recoverable and are estimated at \$4,617.

Grant reimbursements are on a per unit rate as per agreement price sheet. Funding for this agreement is provided by a grant from ADHS and will not impact the County general fund budget. (C-86-05-024-2-07)

Workforce Management and Development

A-7. PROPOSED CHANGES TO SPECIFIC PAYROLL PROCESSES

Approve proposed changes to specific payroll processes to be timed in conjunction with the conversion of the County's HRIS system, which currently is expected to occur in April of 2009. It is currently anticipated that the majority of these process changes will occur in April, 2009, when Maricopa County completes the transition and outsourcing of its HRIS system to ADP.

In preparation for the conversion to the ADP HRIS system during calendar year 2009, it is necessary to input "rules" so that the system will process payroll in a predictable and

consistent manner. Current payroll processes have been exhaustively reviewed and evaluated, and specific changes have been proposed, either because they are necessary in order to avoid expensive customization costs, or because the changes represent “best practices” and an improvement in the County’s own processes. The documentation accompanying this agenda item identifies seven significant process changes for the Board to approve:

1. Adoption of a blended compensation rate for calculation of overtime, which is consistent with U.S. Department of labor Fair Labor Standard (FLSA) guidelines.
2. Treatment of temporary Special Work Assignments as differential pay, rather than the current practice of treating this temporary pay as an increase to base pay.
3. Adoption of requirement (already used in some County departments, such as MCSO) that paid and unpaid leave be taken in 15 minute increments, rather than continuing to permit leave to be taken in 1/100th of an hour increments.
4. Designating the HRIS system as the system of record for centralized tracking of FMLA eligibility and leave usage.
5. Standardize times County-wide for payment of shift differentials.
6. Discontinue savings bonds through payroll deductions.
7. Standardize and simplify calculation for fractional holiday pay credit. The majority of these changes will take effect upon the conversion effective date, although some processes that do not require significant PeopleSoft programming changes, such as discontinuing savings bonds through payroll deductions, may be implemented earlier. The documentation accompanying this agenda item is on file in the Office of the Clerk of the Board and retained in accordance with the approved ASLAPR Retention Schedule. (C-31-09-007-6-00)

Public Works

A-8. AMENDMENT NO. 2 TO TRANSWESTERN V. MARICOPA COUNTY SETTLEMENT

Approve authorization to amend the settlement of Transwestern Pipeline Company, LLC v. Maricopa County, CV-07-2333-PHX-JWS (consolidated) for additional compensation of \$113,280.00 to be paid to Maricopa County.

On April 9, 2008, the Board approved settlement in the above cases (which include CV-07-2333-PHX-JWS, CV-07-2337-PHX-JWS and CV-07-2340-PHX-JWS) for the amount of \$700,000.00 (Agenda No. C-19-08-048-M-00). After the original settlement was approved by the Board, Transwestern approached Maricopa County indicating additional land was needed to complete its gas pipeline project – 7.58 acres of permanent easement and 6.37 acres of temporary workspace easement. Utilizing the same valuation terms as the original settlement, Maricopa County and Transwestern agreed to additional compensation in the amount of \$705,000.00, approved by the Board on November 6, 2008 (C-19-08-048-M-01). This additional compensation brought the total settlement amount for the three cases filed against Maricopa County to \$1,405,000.00. In October 2008, Transwestern again approached Maricopa County indicating additional land was needed to complete its gas pipeline project – 0.45 acres of permanent easement and 2.58 acres of temporary workspace easement. Utilizing the same valuation terms as the original settlement, Maricopa County and Transwestern agreed to additional compensation in the amount of

\$113,280.00, subject to Board approval. This additional compensation brings the total settlement amount for the three cases filed against Maricopa County to \$1,518,280.00. This proposed settlement on all the property being acquired by Transwestern will be effectuated by a stipulated judgment which will be filed with the Clerk of the Board when it is entered by the Court. This item was discussed in Executive Session on December 15, 2008. Supervisorial District 4 (C-19-08-048-M-02)

SETTING OF HEARINGS

All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted

Planning and Development

A-9. ZONING CASES

Schedule Planning and Development public hearings on zoning cases and other matters for the January 14, 2009 meeting. (List will be on file with the Clerk of the Board.) (C-44-09-063-M-00)

IMPROVEMENT DISTRICT AGENDA

I-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors of the Plymouth Street Improvement District for the meeting held July 23, 2008. (C-06-09-216-7-00)

I-2. GOLDFIELD PRESERVE IMPROVEMENT DISTRICT AGREEMENTS

Approve Agreements for 1) Lease of Type 2 Water Right and 2) Well Lease Agreement between Goldfield Preserve Development LLC (Lessor) and Goldfield Preserve Improvement District (Lessee). Both agreements are at no cost to the DISTRICT. The term of the agreements are for a one-year duration commencing on December 17, 2008 and terminating on December 17, 2009.

The agreements are needed for establishment of a new service area right. Copies of the agreements are to be included in the Initial Notice of Intent to Establish a New Service Area Right to be filed with the Arizona Department of Water Resources. Supervisory District No. 2 (C-91-09-091-M-00)

FLOOD CONTROL DISTRICT AGENDA

F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-220-7-00)

F-2. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held July 23, 2008; August 20, 2008; and September 3, 2008. (C-06-09-210-7-00)

FLOOD CONTROL DISTRICT ADDENDUM

FA-1. AMENDMENT NO. 1 TO TRANSWESTERN V. FLOOD CONTROL DISTRICT OF MARICOPA COUNTY SETTLEMENT

Approve authorization to amend the settlement of Transwestern Pipeline Company, LLC v. Flood Control District of Maricopa County (District), CV-07-2332-PHX-JWS for additional compensation of \$100,480.00 to be paid to the District.

On April 9, 2008 the Board of Directors for the District approved settlement (C-69-08-054-M-00) in the above case, which included CV-07-2332-PHX-JWS, CV-07-2334-PHX-JWS, CV-07-2336-PHX-JWS, CV-07-2339-PHX-JWS, and CV-07-2348-PHX-JWS for the amount of \$3,250,000.00. Subsequently, Transwestern Pipeline Company, LLC (Transwestern) approached the District indicating additional land was needed to complete its gas pipeline project (6.28 acres of workspace easement). Utilizing the same valuation terms as the original settlement, the District and Transwestern agreed to additional compensation in the amount of \$100,480.00 subject to Board of Directors approval. This additional compensation brings the total settlement amount for the cases filed against the District to \$3,350,480. This proposed settlement on all the property being acquired by Transwestern will be effectuated by a stipulated judgment which will be filed with the Clerk of the Board when it is entered by the Court. This item was discussed in Executive Session on December 15, 2008. Supervisorial District 4 (C-69-08-054-M-01)

FA-2. A TUMBLING T RANCHES V. FLOOD CONTROL DISTRICT

Authorize counsel for the Flood Control District to seek review in the Arizona Supreme Court of the decision of the Court of Appeals, as discussed in Executive Session on December 15, 2008. (C-19-09-040-M-00)

LIBRARY DISTRICT AGENDA

L-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held July 23, 2008; August 20, 2008; and September 3, 2008. (C-06-09-211-7-00)

L-2. DONATIONS

In accordance with County Policy A2805, accept the monthly donation report received from Library District for November 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-219-7-00)

STADIUM DISTRICT AGENDA

S-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held July 23, 2008; August 20, 2008; and September 3, 2008. (C-06-09-212-7-00)

S-2. QUITCLAIM DEED TO ZEB PEARCE COMPANIES

Approve the execution and delivery of the quit claim deed to Zeb Pearce Companies from the Maricopa County Stadium District in the form submitted herewith.

In 1998 the City of Phoenix abandoned certain right of way of approximately 20 feet in depth and 300 in length which lies along the south end of District owned land located at 401 East Jefferson Street Phoenix, AZ 85004 (the site of Chase Field.) The District, believing that the south half (i.e., the half adjacent to the District property) of that abandoned right of way belonged to it, erected a fence and installed pavement and lighting. The owner of the adjacent parcel, Zeb Pearce Companies, claims that it is the true owner of the parcel in question and has asked the District to execute a quit claim deed. (C-68-09-006-8-00)

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

84. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the
85. Supervisors'/County Manager's summary of current events.

The Board of Supervisors will now consider matters related to Planning and Zoning.

PLANNING AND ZONING AGENDA

CONSENT AGENDA

1. SPECIAL USE PERMIT - ROSEWOOD MANOR

Case Number: Z2002135
Supervisory: 1
District:
Applicant: Tyrone Stowe for Gospel for Life Church
Location: Southeast corner of Ryan Road & McQueen Road (in the Chandler area)
Request: Removal of Special Use Permit (SUP) for a wedding center in the Rural-43 zoning district (approx. 4.8 ac.) - Rosewood Manor
Commission Action: Recommend removal of the SUP by a vote of 9-0.
(C-44-09-054-7-00)

REGULAR AGENDA

2. TEXT AMENDMENT - PLAN OF DEVELOPMENT PROCESS

Case Number: TA2008008
Supervisory District: All Districts
Applicant: Commission-initiated
Location: All portions of unincorporated Maricopa County
Request: Text Amendment to the Maricopa County Zoning Ordinance revising the Plan of Development Process
Commission Action: ~~Scheduled for the Planning and Zoning Commission on 12-04-2008.~~
Approved by a vote of 7-0
(C-44-09-055-7-00)

3. COMPREHENSIVE PLAN AMENDMENT - SOLANA GENERATING STATION

Case Number: CPA200806
Supervisory District: 5
Applicant: CMX for Abengoa Solar, Inc./Arizona Solar One, LLC
Location: Approx . north of Interstate 8, south of Powerline Road, west of Painted Rock Dam Road, east of Oatman Road alignment (in the Gila Bend area)
Request: Major Comprehensive Plan Amendment to change the land use designation from Rural Development Area to Industrial for a solar energy electric generating facility (approx. 3,100 ac.)
Commission Action: Recommended approval subject to stipulations "a" through "g" as outlined in the Staff Report.
(C-44-09-056-7-00)

4. COMPREHENSIVE PLAN AMENDMENT - MESQUITE SOLAR

Case Number: CPA200807
Supervisory District: 4
Applicant: Joseph H. Rowley for SEP II, LLC
Location: Southeast corner of 411th Avenue and Elliott Road (in the Arlington area)
Request: Major Comprehensive Plan Amendment to change the land use designation from Dedicated Open Space and Rural Residential (0-1 d.u./ac.) to Industrial for a solar energy electric generating facility (approx. 2,480 ac.) - Mesquite Solar
Commission Action: Recommend approval subject to stipulations "a" through "g" as outlined in the Staff Report.
(C-44-09-058-7-00)

5. ZONING PERMIT - MESQUITE GENERATING STATION

Case Number: Z2008066
Supervisory District: 4
Applicant: SEP II, LLC
Location: Southeast corner of 411th Avenue and Elliott Road (in the Arlington area)
Request: Modification of Stipulation of approval of a Special Use Permit for an electrical

generating facility in the Rural-190 zoning district (approx. 1,920 ac.) - Mesquite Generating Station
Commission Action: ~~Recommended continuance to the Planning and Zoning Commission meeting scheduled for 12-04-2008 by a vote of 9-0.~~
Approved by a vote of 6-0-1, subject to stipulations "a" through "c". Commissioner Johnson recused.

(C-44-09-057-7-00)

6. COMPREHENSIVE PLAN AMENDMENT - AV SOLAR

Case Number: CPA200808
Supervisory District: 4 & 5
Applicant: James Hinrichs for Dynegy Arlington Valley, LLC
Location: Between Dobbins Road and Pecos Road (alignment) on the north and south and between 355th Avenue (alignment) and 391st Avenue (alignment) on the east and west (in the Arlington area)
Request: Major Comprehensive Plan Amendment to change the land use designation from Dedicated Open Space to Industrial for a solar energy electric generating facility (approx. 2,450 ac.) - AV Solar
Commission Action: Recommend approval subject to stipulations "a" through "g" as outlined in the Staff Report.

(C-44-09-059-7-00)

7. SPECIAL USE PERMIT - REZZONICO HAY SALES

Case Number: Z2006104
Supervisory District: 1
Applicant: Withey & Morris, PLC for Rezzonico Ranches, LLC
Location: West of Higley Road between San Tan Boulevard and Hunt Hwy. (in the Gilbert area)
Request: Special Use Permit (SUP) for a feed store in the Rural-43 zoning district (approx. 2.93 ac.) - Rezzonico Hay Sales
Commission Action: Recommend approval subject to stipulations "a" through "y" as outlined in the Staff Report. {Note - opposition to this case has triggered a Super-majority vote by the Board of Supervisors}

(C-44-09-060-7-00)

8. SPECIAL USE PERMIT - MESA BUCKHORN ELKS

Case Number: Z2007149
Supervisory District: 2
Applicant: Rothwell Architecture for Mesa Buckhorn Elks
Location: West of Power Road and north of Main Street (in the east Mesa area)
Request: Special Use Permit (SUP) for a fraternal organization in the C-2 and R1-8 zoning districts (approx. 1.25 ac.) - Mesa Buckhorn Elks
Commission Action: ~~Continued to the 12-04-2008 Planning and Zoning Commission hearing.~~
Approved by a vote of 7-0 subject to stipulations "a" through "o".

(C-44-09-061-7-00)

9. SPECIAL USE PERMIT - CROWN BUCKEYE LATTICE TOWER

Case Number: Z2007156
Supervisory District: 4
Applicant: Crown Castle for Union Pacific Railroad
Location: South of Baseline Road and west of Miller Road (in the Buckeye area)
Request: Major Amendment to Special Use Permit (SUP) for a wireless communications facility in the Rural-43 zoning district, Cellular Use District 2 (approx. 0.3 ac.) - Crown Buckeye Lattice Tower
Commission Action: ~~Continued to the December 4, 2008 Planning and Zoning Commission meeting due to a notification error.~~
Approved by a vote of 7-0 subject to stipulations "a" through "q".
(C-44-09-062-7-00)